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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/635,479	08/08/2000	Robert G. Gann	10001080-1	4399

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EXAMINER

WORKU, NEGUSSIE

ART UNIT	PAPER NUMBER
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2626

DATE MAILED: 07/07/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/635,479

Applicant(s)

GANN ET AL.

Examiner

Negussie Worku

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 08 August 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3.

- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

JEROME GRANT II  
PRIMARY EXAMINER

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## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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2. Claims ~~1-2, 4-9, 10-11~~<sup>1, 2, 4, 6-11</sup>, 14-18 and 20, are rejected under 35 U.S.C. 102(b) as being anticipated by Iyoda (USP 5515181).

With respect to claim 1, Iyoda disclose a method of digital imaging utilizing a look-down digital imaging device, (as shown in fig 10 and 11), said method comprising: illuminating a target scan area (area of original specifically 103b of fig 11, targeted by light source 104 of fig 11) see (col.6, lines 10-10-13) below said look-down digital imaging device, (a look-down device 1 of fig 11), see (col.4, lines 1-10); and sweeping an image raster line across at least a portion of said target scan area (the target scan area original 103b of fig 11, sweeping by scanner 1 of fig 11) to capture a digital image of an original image within said target scan area, see (col.6, lines 10-14).

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With respect to claim 2, Iyoda discloses the method (as shown in 10 and 11) wherein said captured digital image of said original (103a of fig 11) is a single, congruent digital image (image data captured by image scanner 1 of fig 11) of said original.

With respect to claim 4, Iyoda disclose the method (as shown in fig 1) wherein said sweeping an image raster line (scanner 1 of fig 11, sweep across the document 103a of fig 11, to capture the image with higher resolution data, see (col.4, lines 56-60) across said original captures high resolution digital image data of said original, (103 a of fig 11, see (col.4, lines 15-25).

With respect to claim 6, Iyoda disclose the method (as shown in fig 3), further comprising: capturing video data of said target scan area (original 103b of fig 11, the target area); and displaying said captured video data on a display, (the driving process circuit unit 25 of fig 11, includes a microcomputer, which inherently contains display device for displaying captured image data, see col.19, lines 45-50).

With respect to claim 7, Iyoda discloses the method (as shown in fig 11), further comprising: selecting at least a portion of said original image (103 a of fig 11) to be captured as a digital image.

With respect to claim 8, Iyoda discloses the method (as shown in fig 11) wherein said look-down digital imaging device (1 of fig 11) recognizes said at least a portion of said original

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image (103 of fig 11) to be captured as that portion over which an indicator is moved, see col.4, lines 36-40).

With respect to claim 9, Iyoda discloses the method (as shown in fig 10 and 11) wherein said sweeping is achieved by at least one movement selected from the group consisting pivoting said look-down digital imaging device (1 of fig 11) about an axis, (imaging device moves in X, Y direction), pivoting said look down digital imaging device ( 1 of fig 11) about an axis and translating look-down digital imaging device vertically relative to said target scan area during said pivoting, and translating said look-down digital imaging device laterally relative to said target scan area, see (col.4, lines 35-41).

With respect to claim 10, Iyoda disclose a look-down digital imaging device (1 of fig 11) comprising: linear sensor (CCD 15 of fig 11) for imaging a raster line of an original image (103 of fig 11) placed substantially below said look-down digital imaging device (1 of fig 11) ; and lens for focusing reflected light from said original to said linear sensor (15 of fig 11, see col.4, lines 25-27).

With respect to claim 11, Iyoda disclose the look-down digital imaging device (1 of fig 11), wherein said linear sensor (CCD 15 of fig 11), comprises a tri-liner color CCD array, see col.4, lines 24-26).

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With respect to claim 14, the look-down digital imaging device (1 of fig 11), further comprising a digital video camera (1 of fig 11), for capturing video data of said original (103 of fig 11).

With respect to claim 15, the look-down digital imaging device (1 of fig 11), implemented as a standalone device, see (fig 1 of fig 11).

With respect to claim 16, the look-down digital imaging device (1 of fig 11) wherein said linear sensor (CCD of fig 11) receives a non-folded optical path of light reflected from said original (103 of fig 11).

With respect to claim 17, the system for performing digital imaging device (1 of fig 11), comprising: a look-down digital imaging device (1 of fig 11) that includes means (CCD 15 of fig 11) for imaging a raster line over a target scan area and means (focal control mechanism 19 of fig), for focusing reflected light from said target scan area to said imaging means (15 of fig 11).

With respect to claim 18, the system of (imaging device 1 of fig 11), wherein said means (line sensor 15 of fig 11, is an imaging means for scanning a high resolution) for imaging is a high resolution (magnification control 17, may determine a resolution by which the whole original image is performed, so that resolution can be setup approximately not less than user's preference, which may be 300 dpi resolution, by a resolution set up means 17 of fig 10, see col.2, lines 22-23, and see also col.4, lines 56-60.

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With respect to claim 20, Iyoda discloses the system further comprising a computer device (process circuit 25 of fig 11, includes computer device, see col.4, lines 28-33, to which said look-down digital imaging device (1 of fig 1) is coupled.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3, 5, 12-13 and 19, are rejected under 35 U.S.C. 103(a) as being unpatentable over Iyoda et al. (USP 5, 515, 181) in view Sears et al. (USP 6,115,482).

With respect to claim 3, 5, 12-13 and 19, Iyoda does not disclose the optical character recognition operations on captured digital image data of said original at resolution no less than approximately 300 dpi.

Sears et al. disclose the optical character recognition operations (OCR 51 of fig 2) on captured digital image data of said original at resolution no less than approximately 300 dpi, see (col.7, lines 25-35).

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Since Iyoda et al., and Sears et al., are directed toward at least having image reading or pickup apparatus, the purpose of using the optical character recognition operations on captured digital image data of said original at resolution no less than approximately 300 dpi, would have been recognized by Iyoda as specifically set forth by Sears et al.

It would have been obvious to replace image reading device 1 of fig 11, of Iyoda et al., with optical [OCR] device 51 of fig 2, for the purpose of using scanning documents of printed material at any time any places in today's daily lives, in a high or better resolution of user's preference, as clearly set forth by Sears et al.

5. Any inquiry concerning this communication or earlier communication from Examiner should be directed to Negussie Worku whose telephone number is (703) 305 5441.

The Examiner can normally be reached on M-F, 9am - 6 pm if attempts to reach the Examiner by telephone are unsuccessful, the Examiner's Supervisor, David Moore, can be reached on (703) 308-7452.

The fax phone number for the organization where this application or proceeding is assigned is (703) 306-5406, and any inquiry of general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.



JEROME GRANT II  
PRIMARY EXAMINER

